

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 3229

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2017 JAN 30 AM 10:04

SENSITIVE

January 30, 2017

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser/Ben Holly *B.H.*
Reports Analysis Division *DL for KR*
Compliance Branch

SUBJECT: Reason To Believe
Recommendation – 2016 30 Day Post-General Report (Authorized
Committees) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file or timely file the 2016 30 Day Post-General Report in accordance with 52 U.S.C. § 30104(a). The 30 Day Post-General Report was due on December 8, 2016. The list is comprised of authorized committees whose candidates sought election in the November 8th General Election.

The committees listed in the attached RTB Circulation Report either failed to file the report, or filed the report

more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

An explanation of the civil money penalties calculation for the committees that failed to file the report is outlined below:

The committee (AF 3229) represents a candidate that participated in the 2016 General Election. The committee was required to file a 2016 30 Day Post-General Report (30G) covering October 20, 2016 through November 28, 2016 (40 days). In order to determine the civil money penalty for the 2016 30 Day Post-General Report, an estimated level of activity was calculated using a per diem average by multiplying the previous activity reported for the 2015-2016 election cycle (\$110,005) by 14.59% (the number of days required in 30G (40) divided by the number of days included in the Committee's 2015-2016 election cycle reports (274)).

The committee (AF 3230) represents a candidate that participated in the 2016 General Election. The committee was required to file a 2016 30 Day Post-General Report (30G) covering October 20, 2016 through November 28, 2016 (40 days). In order to determine the civil money penalty for the 2016 30 Day Post-General Report, an estimated level of activity was calculated using a per diem average by multiplying the previous activity reported for the 2015-2016 election cycle (\$159,865) by 13.65% (the number of days required in 30G (40) divided by the number of days included in the Committee's 2015-2016 election cycle reports (293)).

The committee (AF 3231) represents a candidate that participated in the 2016 General Election. The committee was required to file a 2016 30 Day Post-General Report (30G) covering October 20, 2016 through November 28, 2016 (40 days). In order to determine the civil money penalty for the 2016 30 Day Post-General Report, an estimated level of activity was calculated using a per diem average by multiplying the previous activity reported for the 2015-2016 election cycle (\$329,294) by 14.59% (the number of days required in 30G (40) divided by the number of days included in the Committee's 2015-2016 election cycle reports (274)).

Recommendation

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

Federal Election Commission
Reason to Believe Circulation Report
2016 POST-GENERAL Not Election Sensitive 12/08/2016 AUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3226	C00556944	BRUCE DAVIS FOR US CONGRESS	BRUCE EDWARD DAVIS SR.	GLENDIA CLARK	\$166,677	0	1/1/2017	24	\$25,385	\$897
3227	C00613539	CHRISTOPHER PETERS FOR CONGRESS	CHRISTOPHER CARL PETERS	JACK YOUNG	\$415,166	0	12/29/2016	21	\$83,853	\$3,424
3228	C00614362	DAN COX FOR CONGRESS	DAN COX	DANIEL RAZVI	\$143,313	0	12/31/2016	23	\$34,572	\$871
3229	C00603654	FRIENDS OF MATT DETCH	MATTHEW PAUL DETCH	MICHAEL BEALE	\$110,005	0		Not Filed	\$16,049 (est)	\$643
3230	C00607929	KHARY FOR CONGRESS	KHARY PENEBAKER	SUSAN HOTZ	\$159,865	0		Not Filed	\$21,821 (est)	\$643
3231	C00612861	PELLERIN FOR US SENATE LLC	JOSHUA A. PELLERIN	JENNIFER MAY	\$329,294	0		Not Filed	\$48,043 (est)	\$1,157
3232	C00614271	SPECHT FOR CONGRESS	STEVEN K. SPECHT	HUDSON SAULS	\$116,350	0	1/11/2017	Not Filed	\$14,716	\$643

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Withdrawal and Resubmission of Reason)
To Believe Recommendation - 2016 30 Day)
Post-General Report (Authorized)
Committees) for the Administrative Fine)
Program:)
BRUCE DAVIS FOR US CONGRESS, and) AF# 3226
CLARK, GLENDA as treasurer;)
CHRISTOPHER PETERS FOR) AF# 3227
CONGRESS, and YOUNG, JACK as)
treasurer;)
DAN COX FOR CONGRESS, and RAZVI,) AF# 3228
DANIEL as treasurer;)
FRIENDS OF MATT DETCH, and) AF# 3229
BEALE, MICHAEL as treasurer;)
KHARY FOR CONGRESS, and HOTZ,) AF# 3230
SUSAN as treasurer;)
PELLERIN FOR US SENATE LLC, and) AF# 3231
JENNIFER MAY as treasurer;)
SPECHT FOR CONGRESS, and SAULS,) AF# 3232
HUDSON as treasurer;)

CERTIFICATION

I, Dayna C. Brown, Acting Secretary and Clerk of the Federal Election

Commission, do hereby certify that on January 31, 2017 the Commission took the following actions on the Withdrawal and Resubmission of Reason To Believe Recommendation - 2016 30 Day Post-General Report (Authorized Committees) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated January 30, 2017, on the following committees:

AF#3226 Decided by a vote of 6-0 to: (1) find reason to believe that BRUCE DAVIS FOR US CONGRESS, and CLARK, GLENDA in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3227 Decided by a vote of 6-0 to: (1) find reason to believe that CHRISTOPHER PETERS FOR CONGRESS, and YOUNG, JACK in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3228 Decided by a vote of 6-0 to: (1) find reason to believe that DAN COX FOR CONGRESS, and RAZVI, DANIEL in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3229 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF MATT DETCH, and BEALE, MICHAEL in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

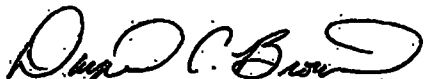
AF#3230 Decided by a vote of 6-0 to: (1) find reason to believe that KHARY FOR CONGRESS, and HOTZ, SUSAN in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3231 Decided by a vote of 6-0 to: (1) find reason to believe that PELLERIN FOR US SENATE LLC, and JENNIFER MAY in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#3232 Decided by a vote of 6-0 to: (1) find reason to believe that SPECHT FOR CONGRESS, and SAULS, HUDSON in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

February 1, 2017
Date


Dayna C. Brown
Acting Secretary and Clerk of the
Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 1, 2017

Michael Beale, in official capacity as Treasurer
Friends of Matt Detch
201 North Court St.
Lewisburg, WV 24901

C00603654
AF#: 3229

Dear Mr. Beale:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 30 Day Post-General Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled general election for which the candidate sought election. This report, covering the period October 20, 2016 through November 28, 2016 shall be filed no later than December 8, 2016. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission ("FEC") indicate that you did not file this report within thirty (30) days of the due date, the report is considered not filed for the purpose of calculating the civil money penalty. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On January 31, 2017, the FEC found that there is reason to believe ("RTB") that Friends of Matt Detch and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before December 8, 2016. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$643. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$643 is due within forty (40) days of the finding, or by March 12, 2017, and is based on these factors:

Sensitivity of Report: Not Election Sensitive
Level of Activity: \$16,049
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. **If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or March 12, 2017. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Friends of Matt Detch and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate

action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including making a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Aimee Wechsler in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Steven T. Walther
Chair

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$643 for the 2016 Post-General Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Friends of Matt Detch

FEC ID#: C00603654

AF#: 3229

PAYMENT DUE DATE: March 12, 2017

PAYMENT AMOUNT DUE: \$643



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2017 JUN 26 PM 1:39

SENSITIVE

June 26, 2017

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *SWH*
Staff Director

FROM: Patricia C. Orrock *DC* for PCO
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser *KR*/Ben Holly *BH*
Reports Analysis Division
Compliance Branch

SUBJECT: Administrative Fine Program – Final Determination Recommendation for the
2016 30 Day Post-General Report (Authorized Committees)

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2016 30 Day Post-General Report. The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

For your information, one (1) committee disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty. An overview of this case has been provided below.

Pellerin for U.S. Senate, LLC (AF 3231) filed a Termination Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$17,821 (previously estimated to be \$48,043), thus the fine would be lowered from \$1,157 to \$643.

RAD Recommendation

- (1) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports violated 52 U.S.C. § 30104(a) and assess the final civil money penalties so indicated.
- (2) Send the appropriate letters.

1719127114166

Federal Election Commission
FD Circulation Report Fine Paid
2016 POST-GENERAL Not Election Sensitive 12/08/2016 AUTH

AP#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
3226	BRUCE DAVIS FOR U.S. CONGRESS	BRUCE EDWARD DAVIS SR.	C00556944	GLENDIA CLARK	01/01/2017	24	\$25,385	0	01/31/2017	\$897	\$897	03/21/2017	\$897
3227	CHRISTOPHER PETERS FOR CONGRESS	CHRISTOPHER CARL PETERS	C00613539	JACK YOUNG	12/29/2016	21	\$83,853	0	01/31/2017	\$3,424	\$3,424	03/14/2017	\$3,424
3228	DAN COX FOR CONGRESS	DAN COX	C00614362	DANIEL RAZVI	12/31/2016	23	\$34,572	0	01/31/2017	\$871	\$871	03/13/2017	\$871
3232	STEVEN K. SPECHT FOR CONGRESS	STEVEN K. SPECHT	C00614271	HUDSON SAULS	01/11/2017	Not Filed	\$14,716	0	01/31/2017	\$643	\$643	02/28/2017	\$643

Federal Election Commission
 FD Circulation Report Fine Not Paid
 2016 POST-GENERAL Not Election Sensitive 12/08/2016 AUTH

AP#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
3229	FRIENDS OF MATT DETCH	MATTHEW PAUL DETCH	C00603654	MICHAEL BEALE		Not Filed	\$18,048 (est)	1	01/31/2017	\$643	146	\$643
3230	KHARY FOR CONGRESS	KHARY PENEBAKER	C00607929	SUSAN HOTZ		Not Filed	\$21,821 (est)	0	01/31/2017	\$643	146	\$643
3231	PELLERIN FOR U.S. SENATE, LLC	JOSHUA A. PELLERIN	C00612881	JENNIFER MAY	02/17/2017	Not Filed	\$17,821	1	01/31/2017	\$1,157	146	\$643

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fine Program – Final)
Determination Recommendation for the)
2016 30 Day Post-General Report)
(Authorized Committees):)
BRUCE DAVIS FOR US CONGRESS, and) AF# 3226
CLARK, GLENDA as treasurer;)
CHRISTOPHER PETERS FOR) AF# 3227
CONGRESS, and YOUNG, JACK as)
treasurer;)
DAN COX FOR CONGRESS, and RAZVI,) AF# 3228
DANIEL as treasurer;)
FRIENDS OF MATT DETCH, and) AF# 3229
BEALE, MICHAEL as treasurer;)
KHARY FOR CONGRESS, and HOTZ,) AF# 3230
SUSAN as treasurer;)
PELLERIN FOR US SENATE LLC, and) AF# 3231
JENNIFER MAY as treasurer;)
SPECHT FOR CONGRESS, and SAULS,) AF# 3232
HUDSON as treasurer;)

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election Commission,
do hereby certify that on June 28, 2017 the Commission took the following actions on
the Administrative Fine Program – Final Determination Recommendation for the
2016 30 Day Post-General Report (Authorized Committees) as recommended in the
Reports Analysis Division's Memorandum dated June 26, 2017, on the following
committees:

AF#3226 Decided by a vote of 5-0 to: (1) make a final determination that BRUCE
DAVIS FOR US CONGRESS, and CLARK, GLENDA in her official capacity as
treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so
indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen,
Walther, and Weintraub voted affirmatively for the decision.

AF#3227 Decided by a vote of 5-0 to: (1) make a final determination that CHRISTOPHER PETERS FOR CONGRESS, and YOUNG, JACK in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3228 Decided by a vote of 5-0 to: (1) make a final determination that DAN COX FOR CONGRESS, and RAZVI, DANIEL in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3229 Decided by a vote of 5-0 to: (1) make a final determination that FRIENDS OF MATT DETCH, and BEALE, MICHAEL in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3230 Decided by a vote of 5-0 to: (1) make a final determination that KHARY FOR CONGRESS, and HOTZ, SUSAN in her official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3231 Decided by a vote of 5-0 to: (1) make a final determination that PELLERIN FOR US SENATE LLC, and JENNIFER MAY in her official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3232 Decided by a vote of 5-0 to: (1) make a final determination that SPECHT FOR CONGRESS, and SAULS, HUDSON in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

June 30, 2017
Date

Dayna C. Brown
Dayna C. Brown
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 29, 2017

Michael Beale, in official capacity as Treasurer
Friends of Matt Detch
201 North Court St.
Lewisburg, WV 24901

C00603654
AF#: 3229

Dear Mr. Beale:

On January 31, 2017, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Friends of Matt Detch and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) for filing late or failing to file the 2016 Post-General Report. By letter dated February 1, 2017, the Commission notified you of the RTB finding and the civil money penalty calculated at the RTB stage to be \$643 in accordance with the schedule of penalties at 11 CFR § 111.43. Within forty (40) days of the FEC's RTB finding, you, as treasurer, were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty. You must also file the 2016 Post-General Report if you have not already done so.

The FEC did not receive payment of the calculated civil money penalty or a written response within the time permitted. The FEC made a final determination on June 28, 2017 that Friends of Matt Detch and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assessed a civil money penalty in the amount of \$643 in accordance with 11 CFR § 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$16,049
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 1

At this juncture, the following courses of action are available to you:

1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within thirty (30) days of receipt of this letter, to the U.S. District Court for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 52 U.S.C. § 30109(a)(4)(C)(iii). Your failure to raise an argument in

a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109. 11 CFR § 111.38.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within thirty (30) days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within five (5) days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, follow the payment instructions on page 4 of this letter. You should make payment within thirty (30) days of receipt of this letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty

that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 CFR §§ 111.42(b) and 111.20(c), the file will be placed on the public record within thirty (30) days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Ben Holly at Federal Election Commission, 999 E St., NW, Washington, DC 20463, or our toll free number (800) 424-9530 (at the prompt, press 5) or (202) 694-1130.

On behalf of the Commission,

A handwritten signature in dark ink, appearing to read "Steven T. Walther", is written over a faint, dotted rectangular outline.

Steven T. Walther
Chair

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the civil money penalty is \$643 for the 2016 Post-General Report. The payment is due within 30 days of receipt of this letter.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Friends of Matt Detch

FEC ID#: C00603654

AF#: 3229

PAYMENT AMOUNT DUE: \$643

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 3229

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